

Message Text

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44

ACTION EB-07

INFO OCT-01 NEA-09 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 RSC-01 FAA-00 SS-15 NSC-05 L-02

H-01 /050 W

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R 071020Z JAN 75

FM AMEMBASSY TEHRAN
TO SECSTATE WASHDC 9666

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E.O. 11652: N/A

TAGS: EAIR, IR

SUBJECT: CIVAIR: DISCUSSION WITH DGCA ON FLIGHT CLEARANCE PROBLEMS

REF: TEHRAN 10990

1. SUMMARY: IN CONVERSATION WITH ECON COUN JAN 5, DGCA ADMINISTRATOR ARBABI SAID HE WAS WELL AWARE OF IRRITANT REPRESENTED BY IRAN AIR'S PRACTICE OF RAISING "OBJECTION" AND REQUESTING "NON-OBJECTION" FEE FOR CHARTER FLIGHTS AND THAT HE HIMSELF DISAGREED WITH IRAN AIR'S ATTITUDE. HE SAID HE HOPED TO MEET WITH IRAN AIR MANAGING DIRECTOR GEN. ALI M. KHADEMI THIS WEEK TO DISCUSS PROBLEM AND ASKED EMBASSY TO GIVE HIM ABOUT TWO WEEKS TO SOLVE PROBLEM. IF HE CANNOT OVERCOME IRAN AIR'S POSITION, HE RECOMMENDED THAT AMBASSADOR THEN TAKE MATTER UP WITH PRIME MINISTER. ARBABI ALSO ASKED ABOUT A "CHARTER BI-LATERAL" WHICH HE UNDERSTANDS HAS BEEN AGREED TO BETWEEN SPAIN AND THE UNITED STATES.

2. IN CALL BY EMB ECON COUN AND CIV AV OFFICER, ARBABI AGREED THAT WAY SHOULD BE FOUND TO REMOVE IRRITANT OF IRAN AIR'S FREQUENT USE OF "OBJECTION" TO BLOCK CHARTER OPERATIONS OR TO COLLECT "NON-OBJECTION" FEE. HE SAID (AS WE HAD EARLIER BEEN TOLD BY HIM AND HIS DEPUTY, ABOLMAALI) THAT REGULATION PROMULGATED BY COUNCIL OF MINISTERS REQUIRES DGCA TO FORWARD CHARTER APPROVAL REQUESTS

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TO IRAN AIR WHICH HAS RIGHT TO RAISE "OBJECTION." ARBABI

ACKNOWLEDGED "NON-OBJECTION" FEE IS PROBABLY ILLEGAL AND CERTAINLY NOT REQUIRED IN VIEW OF IRAN'S FINANCIAL STATUS AND SAID HE HAS TAKEN THIS POSITION WITH GEN. KHADEMI. ARBABI SAID WHEN HE HAS APPROVED CHARTER FLIGHTS, DESPITE IRAN AIR'S "OBJECTION", HE HAS RECEIVED STRONG PROTESTS FROM GEN. KHADEMI AND OCCASIONALLY FROM AIR FORCE GEN. KHATAMI, WHO IS CHAIRMAN OF BOARD OF IRAN AIR.

3. 3. ARBABI SAID HE EXPECTS TO MEET WITH GEN. KHADEMI THIS WEEK TO DISCUSS THIS MATTER AND GEN. KHADEMI IS EXAMINING HIS BOOKS TO DETERMINE WHAT PORTION OF IRAN AIR REVENUE COMES FROM "NON-OBJECTION" FEES (ARBABI ESTIMATED IT AS ABOUT \$1 MILLION ANNUALLY). ARBABI SAID HE IS MORE OPTIMISTIC THAN IN THE PAST THAT HE CAN PERSUADE GEN. KHADEMI TO DROP IRAN AIR'S CURRENT PRACTICE OF "OBJECTION" AT LEAST FOR AMERICAN CARRIERS AND ASKED FOR ABOUT TWO WEEKS TO DO SO. IF HE IS UNSUCCESSFUL ARBABI RECOMMENDED THAT AMBASSADOR RAISE MATTER WITH PRIME MINISTER.

4. ECON COUN REMINDED ARBABI OF CAB'S LIBERAL APPROVAL OF IRANIAN CHARTERS AND ALSO ASKED HOW NECESSITY TO "PROTECT" IRAN AIR CAN BE USED AS EXPLANATION, IN THAT AS FAR AS WE KNOW IRAN AIR IS NOT IN POSITION TO TRANSPORT CATTLE, OR INDEED ANY SIGNIFICANT AMOUNTS OF CARGO, FROM UNITED STATES TO IRAN. ARBABI ACKNOWLEDGED THIS POINT AND SAID HE WOULD USE IT WITH GEN. KHADEMI. ECONCOUN ALSO REMINDED ARBABI OF POINTS MADE BY AMBASSADOR (TEHRAN 9196) WITH WHICH ARBABI SAID HE FULLY AGREED.

5. EMBOFF ASKED ABOUT IRAN AIR STATEMENT THAT SERIES OF 4 SEA-BOARD FLIGHTS WERE NOT ALLOWED AND THAT SERVICE SHOULD BE SUPPLIED BY "DESIGNATED CARRIERS," I.E. IRAN AIR OR PAN AM. EMBOFF NOTED THAT THERE ARE NO SUCH "DESIGNATED CARRIERS" FOR THIS TRAFFIC AND THAT ALL U.S. CARRIERS ARE FREE TO BID ON SUCH SERVICE. ARBABI SAID THAT AS FAR AS BI-LATERAL GOES, THERE IS IRAN-U.S. AGREEMENT THAT IRAN AIR AND PAN AM ARE THE DESIGNATED CARRIERS, BUT AGREED THIS DOES NOT APPLY TO CHARTER OPERATIONS. HE THEN ASKED ABOUT POSSIBILITY OF NEGOTIATING A CHARTER-BILATERAL, SAYING HE UNDERSTOOD FROM SPANISH CIVIL AVIATION AUTHORITIES THAT THEY HAD REACHED SUCH AN AGREEMENT WITH U.S. SPECIFICALLY TO COVER PROBLEMS RESULTING FROM LARGE SCALE CHARTER TRAFFIC. HE ASKED EMBOFF TO DETERMINE CIRCUMSTANCES OF SUCH CHARTER BI-LATERAL.

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6. COMMENT: ARBABI AS USUAL WAS COOPERATIVE AND GAVE EVERY INDICATION HE WANTS TO HELP SOLVE THIS PROBLEM; BUT HE ALSO MADE CLEAR THERE ARE OTHER PRESSURES ON HIM, THAT HE IS NOT ENTIRELY FREE AGENT, AND THAT MATTER MAY HAVE TO BE REFERRED TO PRIME MINISTER. HE SAID HE WOULD INFORM US ABOUT JAN. 12

OF ANY PROGRESS ON THIS ISSUE. IN ANY CASE, PRIOR TO ELEVATING THIS PROBLEM TO PRIME MINISTER LEVEL, EMBASSY WILL PROBABLY FIRST

WANT TO DISCUSS MATTER WITH GEN. DHADEMI OF IRAN AIR. IN MEANTIME,
WOULD APPRECIATE DEPT'S ADVISING US ABOUT CHARTER BI-LATERAL. EMBASSY
RECOGNIZES THAT OPENING THAT SUBJECT WITH GOI WOULD PROBABLY
INVOLVE LENGTHY AND DIFFICULT NEGOTIATIONS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, FLIGHT CLEARANCES
Control Number: n/a
Copy: SINGLE
Draft Date: 07 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975TEHRAN00102
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750006-0106
From: TEHRAN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750171/aaaackqe.tel
Line Count: 120
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 TEHRAN 10990
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 AUG 2003 by izenbei0>; APPROVED <11 SEP 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: DISCUSSION WITH DGCA ON FLIGHT CLEARANCE PROBLEMS
TAGS: EAIR, IR, IRAN AIRLINES
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006